

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6367

BILL NUMBER: HB 1059

NOTE PREPARED: Dec 5, 2002

BILL AMENDED:

SUBJECT: Enforcement of Fire Lane Restrictions.

FIRST AUTHOR: Rep. Cheney

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill defines "fire lane" for purposes of the law concerning motor vehicles. It specifies the way in which an area may be designated a fire lane and allows a law enforcement agency to appoint volunteers to issue complaints and summonses for stopping, standing, or parking a vehicle in a fire lane. The bill also allows a county, city, or town to adopt and enforce an ordinance that regulates stopping, standing, or parking of a vehicle in a fire lane if the ordinance does not conflict with state law.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: Under current law, standing, stopping, or parking in a fire lane is a Class C infraction. Under the bill, a fire lane is defined, local units of government may adopt ordinances concerning fire lanes, and volunteers may be appointed to issue complaints and summonses for violation of this section or local ordinances.

As a result, if additional court cases occur for the Class C infraction, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500 which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures: Under the bill, to issue complaints and summonses, a volunteer must complete a course of instruction and obtain a certificate from the executive authority of the appointing law

enforcement agency, among other requirements. There are no data available to estimate the cost to a local unit of government for these courses or certification, and the costs may vary by area.

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered for the Class C infraction, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies, city and town courts.

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106